

Amendments to the Claims:

Re-write the claims as set forth below. This listing of claims will replace all prior versions and listings, of claims in the application:

Listing of Claims:

1. (currently amended) A fastening device for joining items, said fastening device including comprising: a magazine holding at least one tab, [[the]]said tab having a first portion with a free end, [[and]]a second portion with a free end and a hinge, [[the]]said first portion and said second portions portion being joined along [[a]]said hinge such that [[the]]said free ends of [[the]]said first portion and said second portions portion are biased away from each other, [[the]]said first portion having a different size and/or shape to [[the]]said second portion, [[the]]said magazine including an opening through which [[the]]said tab is dispensed, [[the]]said opening including a retainer for retaining [[the]]said second portion of [[the]]said tab from moving in a first direction whilst allowing [[the]]said first portion of [[the]]said tab to move in [[the]]said first direction, [[the]]said tab being removable from [[the]]said magazine in a second direction generally perpendicular to [[the]]said first direction to a fastening position, and a fastening mechanism for driving a fastener to join joining the said tab and said items to be joined.

2. (currently amended) A fastening device according to Claim 1, in which [[the]]said fastener is a staple.

3. (currently amended) A fastening device according to Claim 1, in which [[the]]said fastener is in the form of a stitch.

4. (currently amended) A fastening device according to ~~any one of the preceding claims~~Claim 1, in which a mechanism is provided for selectively preventing [[the]]said first portion of [[the]]said tab from passing through [[the]]said opening of [[the]]said magazine.

5. (currently amended) A fastening device according to Claim 4, in which [[the]]said mechanism for selectively preventing [[the]]said first portion of [[the]]said tab from passing through [[the]]said opening of [[the]]said magazine comprises a mechanical means such as a manually actuated sliding member or an electronic push button to close [[the]]said first opening in [[the]]said magazine.

6. (currently amended) A fastening device according to Claim 4 ~~or Claim 5~~, in which, [[the]]said magazine may be removed from [[the]]said fastening device when [[a]]said tab is not required.

7.(currently amended) A magazine suitable for use in a fastening device according to ~~any one of the preceding claims~~Claim 1, [[the]]said magazine being arranged to hold at least one tab, said tab having a first portion with a free end, [[and]]a second portion with a free end, and a hinge, [[the]]said first portion and said second portions-portion being joined along [[a]]said hinge such that [[the]]said free ends of [[the]]said first portion and said second portions-portion are biased away from each other, [[the]]said first portion of said tab having a different size and/or shape to [[the]]said second portion, [[the]]said magazine includes an opening through which [[the]]said tab is dispensed, [[the]]said opening including a retainer for retaining [[the]]said second portion of [[the]]said tab from moving in a first direction whilst allowing [[the]]said first portion of [[the]]said tab to move in the first direction,

[[the]]said tab being removable from [[the]]said magazine in a second direction generally perpendicular to [[the]]said first direction.

8. (currently amended) A magazine according to Claim 7, in which [[the]]said retainer is in the form of one or more projections or lips that extend into [[the]]said opening of [[the]]said magazine for retaining [[the]]said second portion of [[the]]said tab.

9. (currently amended) A magazine according to Claim 8, in which [[the]]said projection or lip is arranged in a position such that, when [[the]]said first portion and said second portions portion of [[the]]said tab are adjacent each other, [[the]]said projection or lip extends over an area of [[the]]said second portion of [[the]]said tab not covered by [[the]]said first portion.

10. (currently amended) A magazine according to ~~any one of the Claims~~ Claim 7[[to 9]], in which ~~the tab members~~ said tabs contained in [[the]]said magazine are biased towards [[the]]said opening of [[the]]said magazine.

11. (currently amended) A magazine according to Claim 10, including a resilient biasing means, such as a spring, to bias ~~the tab members~~ said tabs towards [[the]]said opening of [[the]]said magazine.

12. (currently amended) A magazine according to Claim 11, in which said biasing means ~~the spring~~ is a coil spring.

13. (currently amended) A magazine according to ~~any one of Claims~~ Claim 7[[to 12]], formed from a plastic or metal material.

14. (currently amended) A magazine according to ~~any one of Claims~~ Claim 7[[to 13]], including an openable or removable side through which [[the]]said tabs may be inserted.

15. (currently amended) A magazine according to ~~any one of Claims~~ Claim 7[[to 14]], formed of a transparent material.

16. (currently amended) A fastening device according to ~~any one of Claims~~ Claim 1[[to 6]], including a magazine in accordance with ~~any one of Claims~~ Claim 7[[to 15]].

17. (currently amended) A tab for use with a fastener device, the tab including comprising: a first portion with a free end, [[and]] a second portion with a free end, and a hinge, [[the]]said first portion and said second portions-portion being joined along [[a]]said hinge such that [[the]]said free ends of [[the]]said first portion and said second portions portion are biased away from each other, [[the]]said first portion having a different size and/or shape to [[the]]said second portion such that [[the]]said second portion of [[the]]said tab can be retained from moving in a first direction whilst allowing [[the]]said second portion of [[the]]said tab to move in [[the]]said first direction, [[the]]said tab being removable from a magazine in a second direction generally perpendicular to [[the]]said first direction.

18. (currently amended) A tab according to Claim 17, in which [[the]]said first portion of [[the]]said tab is shorter than [[the]]said second portion of [[the]]said tab.

19. (currently amended) A tab according to Claim 17 or ~~Claim 18~~, in which [[the]]said first portion of [[the]]said tab has a smaller width than [[the]]said second portion of [[the]]said tab.

20. (currently amended) A tab according to ~~any one of Claims~~ Claim 17[[to 19]], in which [[the]]said hinge of [[the]]said tab is ~~advantageously merely~~ a fold between [[the]]said first portion and said second portion of [[the]]said tab.

21. (currently amended) A tab according to ~~any one of Claims~~ Claim 17[[to 20]], in which [[the]]said tab is formed from a plastics material.

22. (currently amended) A tab according to Claim 21, in which [[the]]said tab is formed from polypropylene.

23. (currently amended) A tab according to ~~any one of Claims~~ Claim 17[[to 22]], in which ~~the tabs~~ said tab is stamped or cut from a sheet of material.

24. (currently amended) A tab according to ~~any one of Claims~~ Claim 17[[to 23]], having a thickness of between about 0.1mm and 0.75mm, and preferably of about 0.25mm.

25. (currently amended) A plurality of tabs according to ~~any one of Claims~~ Claim 17[[to 24]], [[the]]said tabs [[may be]]being provided with printed matter so as to form labels.

26. (currently amended) A plurality of tabs according to ~~any one of Claims~~ Claim 17[[to 25]], [[the]]said tabs being releasably fastened together so that they may be handled conveniently as a single unit.

27. (original) A plurality of tabs according to Claim 26, in which the plurality of tabs are held together by an encircling band.

28. (currently amended) A magazine according to ~~any one of the Claims~~ Claim 7[[to 15]], including a plurality of tabs according to ~~any one of Claims~~ Claim 17[[to 27]].

29. (currently amended) A magazine according to Claim 28, [[the]]said magazine having an internal structure shaped to correspond to [[the]]said tabs, and thereby maintain [[the]]said tabs in alignment.

30. (currently amended) A fastening device according to ~~any one of Claims~~ Claim 1[[to 6]], including a tab in accordance with ~~any one of Claims~~ Claim 17[[to 27]].

31. (currently amended) A method of joining items comprising: providing a tab having a first portion with a free end, [[and]]a second portion with a free end, and a hinge, [[the]]said first portion and said second portion being joined along [[a]]said hinge such that [[the]]said free ends of [[the]]said first portion and said second portion are biased away from each other, [[the]]said first portion having a different size and/or shape to [[the]]said second portion, restraining said second portion of [[the]]said tab from moving in a first direction whilst allowing [[the]]said first portion of [[the]]said tab to move in [[the]]said first direction, providing a number of items to be [[staples]]stapled between [[the]]said free

ends of [[the]]said first portion and said second portions~~-portion~~ of [[the]]said tab, and moving [[the]]said items in a second direction generally perpendicular to [[the]]said first direction to abut against the join between [[the]]said first portion and said second portions~~-portion~~ of [[the]]said tab, and continuing the movement of [[the]]said items to be joined to remove [[the]]said tab in a second direction generally perpendicular to [[the]]said first direction, and passing a fastener through [[the]]said first portion and said second portions~~-portion~~ of [[the]]said tab sandwiching [[the]]said items to be joined.

32. (currently amended) A method according to Claim 31, in which [[the]]said tabs are formed in accordance with ~~any one of Claims~~ Claim 17[to 27].

- 33. (canceled)
- 34. (canceled)
- 35. (canceled)
- 36. (canceled)